

PB# 97-31

MIELE, EDWARD SD

67-4-4

97- 31

MIELE, EDWARD SUBDIVISION (3 LOTS)
RILEY ROAD (BRADY)

Approved 12/8/98

Wilson Jones - Carbonless - S1654-NCR Duplicate - S1657N-CL TriPLICATE

MADE IN U.S.A.
© Wilson Jones, 1999

DATE Sept. 5, 1997 **RECEIPT** 6772317
 RECEIVED FROM Ed Miele Excavating & Landscaping
 Address _____
Fifty 00/100 DOLLARS \$ 50⁰⁰
 FOR P.B. #97-31

| ACCOUNT | | HOW PAID | |
|-------------------|--|-------------|--------|
| BEGINNING BALANCE | | CASH | |
| AMOUNT PAID | | CHECK | # 4515 |
| BALANCE DUE | | MONEY ORDER | 50 00 |

Town Clerk
 BY Dorothy W. Hansen

Wilson Jones - Carbonless - S1652-WCL Duplicate - S1654-NCR Duplicate - S1657N-CL TriPLICATE

© Wilson Jones, 1999

DATE September 7, 1997 **RECEIPT** 17-31
 RECEIVED FROM Ed Miele Excavating & Landscaping
 Address PO Box 116 - Southfields, N.Y. 11975
Four hundred fifty 00/100 DOLLARS \$ 450.00
 FOR 3 Lot Subdivision Easement

| ACCOUNT | | HOW PAID | |
|-------------------|--------|-------------|--------|
| BEGINNING BALANCE | 450 00 | CASH | |
| AMOUNT PAID | 450 00 | CHECK | # 4516 |
| BALANCE DUE | | MONEY ORDER | |

BY _____

Wilson Jones - Carbonless - S1654-NCR Duplicate - S1657N-CL TriPLICATE

© Wilson Jones, 1999

DATE 11/12/99 **RECEIPT** 037472
 RECEIVED FROM Edward Miele
 Address _____
Two Hundred Sixty five DOLLARS \$ 265⁰⁰
 FOR Planning Board Fees

| ACCOUNT | | HOW PAID | |
|-------------------|--|-------------|--------|
| BEGINNING BALANCE | | CASH | 265 00 |
| AMOUNT PAID | | CHECK | |
| BALANCE DUE | | MONEY ORDER | |

Town Clerk
 BY Dorothy W. Hansen

Wilson Jones - Carbonless - S1652-WCL Duplicate - S1654-NCR Duplicate - S1657N-CL TriPLICATE

© Wilson Jones, 1999

DATE January 12, 1999 **RECEIPT** 97-31
 RECEIVED FROM Edward Miele
 Address 14 Railroad Ave. - P.O. Box 116 - Southfields, N.Y.
One Thousand 00/100 DOLLARS \$ 1,000.00
 FOR 2 Lot recreation fee

| ACCOUNT | | HOW PAID | |
|-------------------|--------|-------------|--------|
| BEGINNING BALANCE | 1000 - | CASH | 1000 - |
| AMOUNT PAID | 1000 - | CHECK | |
| BALANCE DUE | -0 - | MONEY ORDER | |

BY Theresa L. Mason

Wilson Jones

MADE IN U.S.A.
Wilson Jones, 1989

| | | | |
|-------------|--|-------------|-------|
| PLANNING | | CASH | |
| BALANCE | | CHECK | 50.00 |
| AMOUNT PAID | | | |
| BALANCE DUE | | MONEY ORDER | |

BY Dorothy H. Hansen

Wilson Jones - Carbonless - S1642-4WCL Duplicate - S1644-4WCL Triplicate

© Wilson Jones, 1989

DATE 11/12/99 RECEIPT NUMBER

RECEIVED FROM _____

Address _____

_____ DOLLARS \$ 450.00

FOR _____

| ACCOUNT | | | HOW PAID | | |
|-------------------|--|--|-------------|--|--|
| BEGINNING BALANCE | | | CASH | | |
| AMOUNT PAID | | | CHECK | | |
| BALANCE DUE | | | MONEY ORDER | | |

BY _____

Wilson Jones - Carbonless - S1654-MCR Duplicate - S1657N-CL Triplicate

© Wilson Jones, 1989

DATE 11/12/99 RECEIPT 037472RECEIVED FROM Edward Miele

Address _____

Two Hundred Sixty five DOLLARS \$ 265.00FOR Planning Board Fees

| ACCOUNT | | | HOW PAID | | |
|-------------------|--|--|-------------|---------------|--|
| BEGINNING BALANCE | | | CASH | <u>265.00</u> | |
| AMOUNT PAID | | | CHECK | | |
| BALANCE DUE | | | MONEY ORDER | | |

BY Town Clerk
Dorothy H. Hansen

Wilson Jones - Carbonless - S1642-4WCL Duplicate - S1644-4WCL Triplicate

© Wilson Jones, 1989

DATE January 12, 1999 RECEIPT NUMBER 97-31RECEIVED FROM Edward MieleAddress 14 Railroad Ave. - P.O. Box 116 - Southfields, N.Y.One Thousand 00/100 DOLLARS \$ 1,000.00FOR 2 Lot recreation fee

| ACCOUNT | | | HOW PAID | | |
|-------------------|-------------|----------|-------------|-------------|----------|
| BEGINNING BALANCE | <u>1000</u> | <u>-</u> | CASH | <u>1000</u> | <u>-</u> |
| AMOUNT PAID | <u>1000</u> | <u>-</u> | CHECK | | |
| BALANCE DUE | <u>-0-</u> | | MONEY ORDER | | |

BY Nydia L. Mason

Pat Brady 364-2618

Map Number 17-99

Section 67 Block 4 Lot 4

City []

Town [☒]

Village []

New Windsor

Title: Edward Miele

Dated: 8-10-98 Filed 2-2-99

Approved by Edward Stent

on 12-8-98

Record Owner Edward Miele

1 Sheet

DONNA L. BENSON
Orange County Clerk

DATE September 4, 1997 **RECEIPT** N U M B E R 97-31RECEIVED FROM Ed Miele Excavating & LandscapingAddress P.O. Box 116 - Southfields, N.Y. 10975Four Hundred Fifty 00/100 DOLLARS \$450.00FOR 3 Lot Subdivision Escrow

| ACCOUNT | | | HOW PAID | | |
|-------------------|-----|----|-------------|--------|--|
| BEGINNING BALANCE | 450 | 00 | CASH | | |
| AMOUNT PAID | 450 | 00 | CHECK | # 4516 | |
| BALANCE DUE | -0 | - | MONEY ORDER | | |

BY J. Zappale
Myra Mason, Secretary

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/20/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 97-31

NAME: MIELE, EDWARD

APPLICANT: MIELE, EDWARD

| --DATE-- | DESCRIPTION----- | TRANS | --AMT-CHG | -AMT-PAID | --BAL-DUE |
|----------|---------------------|--------|-----------|-----------|-----------|
| 09/04/97 | REC. CK. #4516 | PAID | | 450.00 | |
| 09/10/97 | P.B. ATTY. FEE | CHG | 35.00 | | |
| 09/10/97 | P.B. MINUTES | CHG | 18.00 | | |
| 06/10/98 | P.B. ATTY. FEE | CHG | 35.00 | | |
| 06/10/98 | P.B. MINUTES | CHG | 31.50 | | |
| 11/10/98 | P.B. ENGINEER FEE | CHG | 305.50 | | |
| 11/19/98 | RETURN TO APPLICANT | CHG | 25.00 | | |
| | | TOTAL: | 450.00 | 450.00 | 0.00 |

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/08/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 97-31

NAME: MIELE, EDWARD

APPLICANT: MIELE, EDWARD

| --DATE-- | DESCRIPTION----- | TRANS | --AMT-CHG | -AMT-PAID | --BAL-DUE |
|------------|--------------------------|--------|-----------|-----------|-----------|
| 11/19/1998 | 2 LOTS @ 500.00 EA | CHG | 1000.00 | | |
| 01/12/1999 | REC. CASH FROM APPLICANT | PAID | | 1000.00 | |
| | | TOTAL: | 1000.00 | 1000.00 | 0.00 |

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/08/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEE**
APPROVAL

FOR PROJECT NUMBER: 97-31

NAME: MIELE, EDWARD

APPLICANT: MIELE, EDWARD

| --DATE-- | DESCRIPTION----- | TRANS | --AMT-CHG | -AMT-PAID | --BAL-DUE |
|------------|-------------------------|--------|-----------|-----------|-----------|
| 11/19/1998 | APPROVAL FEE | CHG | 265.00 | | |
| 01/12/1999 | REC.CASH FROM APPLICANT | PAID | | 265.00 | |
| | | TOTAL: | 265.00 | 265.00 | 0.00 |

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/08/1999

PAGE: 1

LISTING OF PLANNING BOARD **ACTIONS**

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 97-31

NAME: MIELE, EDWARD

APPLICANT: MIELE, EDWARD

| --DATE-- | MEETING-PURPOSE----- | ACTION-TAKEN----- |
|------------|---|-------------------|
| 12/08/1998 | PLANS STAMPED | APPROVED |
| 06/10/1998 | P.B. APPEARANCE | LA:ND WVE PH APPR |
| | . CORRECT LOT 1 & 2 SHOULD NOT BLOCK DRAINAGE - CORRECT | |
| | . DRIVEWAY SPECS. | |
| 05/06/1998 | WORK SESSION APPEARANCE | REVISE PLAN |
| 09/10/1997 | P.B. APPEARANCE | REFER TO Z.B.A. |
| 09/03/1997 | WORK SESSION APPEARANCE | SUBMIT |

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/08/1999

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 97-31

NAME: MIELE, EDWARD
APPLICANT: MIELE, EDWARD

| | DATE-SENT | AGENCY----- | DATE-RECD | RESPONSE----- |
|------|------------|--|------------|--------------------|
| REV1 | 05/22/1998 | MUNICIPAL HIGHWAY . SEE ATTACHED DRIVEWAY SPECS | 06/01/1998 | DISAPPROVED |
| REV1 | 05/22/1998 | MUNICIPAL WATER | 06/01/1998 | APPROVED |
| REV1 | 05/22/1998 | MUNICIPAL SEWER | / / | |
| REV1 | 05/22/1998 | MUNICIPAL FIRE | 06/02/1998 | APPROVED |
| ORIG | 09/04/1997 | MUNICIPAL HIGHWAY | 09/05/1997 | APPROVED |
| ORIG | 09/04/1997 | MUNICIPAL WATER | 09/09/1997 | APPROVED |
| ORIG | 09/04/1997 | MUNICIPAL SEWER | 05/22/1998 | SUPERSEDED BY REV1 |
| ORIG | 09/04/1997 | MUNICIPAL FIRE | 09/09/1997 | APPROVED |

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

 LOTS @ 150.00 (FIRST 4 LOTS).....\$
 LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

 LOTS @ 400.00 (FIRST 4 LOTS).....\$
 LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 115.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 265.00

(1)

* * * * *

RECREATION FEES:

2 LOTS @ \$500.00 PER LOT\$ 1,000.00

(2)

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$
PLANNING BOARD ATTORNEY FEES.....\$
MINUTES OF MEETINGS.....\$
OTHER.....\$

\$25.00
Due
back
to applic.

* * * * *

PERFORMANCE BOND AMOUNT.....\$

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

2% OF APPROVED COST ESTIMATE:.....\$
(INSPECTION FEE)

RESULTS OF P.B. MEETING OF :

June 10, 1998

PROJECT:

Mile Sub.

P.B.# 97-31

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M) S S) LU VOTE: A 5 N 0

2. TAKE LEAD AGENCY: Y ☒ N__

CARRIED: YES ☒ NO__

M) S S) LU VOTE: A 5 N 0

CARRIED: YES ☒ NO__

WAIVE PUBLIC HEARING:

M) S S) LU VOTE: A 4 N 0 ^{1 Lander} WAIVED: Y ☒ N__

SCHEDULE P.H. Y__ N ☒

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M) LU S) S VOTE: A 5 N 0 APPROVED CONDITIONALLY: 6-10-98

NEED NEW PLANS: Y ☒ N__

DISCUSSION/APPROVAL CONDITIONS:

| |
|---|
| <u>Correct Lot 1 & 2 should not block drainage (Note #12)</u> |
| <u>Correct Driveway specs.</u> |
| |
| |
| |
| |
| |
| |

MIELE, EDWARD SUBDIVISION (97-3) RILEY ROAD

Mr. Patrick Brady appeared before the board for this proposal.

MR. PETRO: Was there a particular holdup to come back after such a long period of time?

MR. BRADY: We were referred off to the ZBA for a lot width variance and with scheduling it took that time.

MR. LANDER: Can you describe exactly where this is on Riley Road?

MR. BRADY: You have the intersection of 94 right here probably about three or four hundred feet.

MR. LANDER: Towards Dean Hill?

MR. BRADY: Yes, on the right-hand side on April 13, we were before the ZBA and the ZBA had granted lot width variance and we had included that as part of the bulk table which you would see in the lower middle portion of the plan, since the ZBA meeting,, we had met for the workshop session with Mr. Edsall and we provided the well details, the sewer service connection detail and shale detail for a drainage ditch which is to be located on lot number one.

MR. PETRO: None of these homes are there now?

MR. BRADY: There's an existing dwelling on lot 2, it falls within the driveway space, it's a small little structure and that is to be removed.

MR. PETRO: You should put that note should be removed, actually a dwelling on lot 2, that particular lot has an existing sewer service and well.

MR. LANDER: That is going to being removed.

MR. BRADY: The dwelling will be removed, the well will be used and sewer service connection will be used if it's found to be adequate, there is a note, I'm sorry, note 11 on the plat does make mention that the existing

dwelling will be removed.

MR. LANDER: Mark, can you tell me if the driveway specifications have been changed?

MR. BRADY: Well, I was just received a note.

MR. PETRO: We have a disapproval looks like you need a negative slope on them, correct?

MR. BRADY: This will be made part of the plan.

MR. EDSALL: This detail, Mr. Chairman, was just circulated shortly after the last work session so we're going to try to hand these out at the workshop now.

MR. PETRO: So you are basically unaware that is why you drew it the way you did.

MR. BRADY: That's correct.

MR. LANDER: For the other members' education is that there's a separation in between driveways, I forget what it was, 20 feet or what does it say on there?

MR. PETRO: We used to have them combined, remember, you didn't like that.

MR. LANDER: But I know there has to be a separation.

MR. BRADY: Minimum 15 foot from the property line.

MR. ARGENIO: That's 30 foot, no?

MR. LANDER: Yeah, have to be 30 foot, right. I really don't like two curb cuts next to each other like that.

MR. BRADY: That would cause a problem with side entry garages, even if we flipped, I can flip the house and can bring the driveway out, sight distance along Riley wouldn't be a problem. But this generic house is 50 x 30 box, so you need effectively 30 feet from the edge of the house to property back out and make the turn so by doing that, that would bring me within five foot of the property line, so if I had to have my driveway 15

foot would limit the side entry garages.

MR. EDSALL: That is center line of driveway, by the way?

MR. BRADY: Oh, okay well then it may work.

MR. PETRO: You have time to work on that. This drainage swale, go over that one more time cause I think you're going to need to deed the one part from lot 2 to lot 1.

MR. BRADY: We kept the drainage ditch all on lot 1, we're changing the course.

MR. PETRO: Obviously can't go through the house, relocated swale, that one line.

MR. BRADY: Yes, but doesn't look like it's all on lot 1, kind of ends and picks up on the rear of lot 2.

MR. BRADY: It matches back up to the existing swale back here and then crosses along lot 2 and eventually works its way down lot 3 and as a natural drainage course. Now, Mark and I had discussed possibly creating an easement for that, but he felt that the town really didn't want the responsibility and we had put a note on the plat note 12 which states that the owners of these lots shall not interfere with the drainage and they shall not block it at any time in the future.

MR. PETRO: Do you feel that is sufficient?

MR. ARGENIO: Lot 1 or lot 2 should not block the relocated drainage swale at any time.

MR. BRADY: We can add that.

MR. LUCAS: That is a pretty flat area, I don't think there's a lot of water problem is there, the other side of the road but not that side.

MR. BRADY: It is very flat.

MR. PETRO: We should do number 3.

MR. STENT: Make a motion we declare lead agency.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant lead agency for the Miele minor subdivision on Riley Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

| | |
|-------------|-----|
| MR. ARGENIO | AYE |
| MR. STENT | AYE |
| MR. LANDER | AYE |
| MR. LUCAS | AYE |
| MR. PETRO | AYE |

MR. PETRO: Also, we have fire approval on 6/2/98 and what we need to do is clarify up the driveway specs and I don't think that there's any other outstanding items, discuss the public hearing tonight, yeah.

MR. LUCAS: How did you make out at the public hearing at zoning?

MR. BRADY: One gentleman showed up to the south which is now or formerly Duffy, and his only concern was drainage on a culvert pipe crossing Riley onto his property. But it's without, it's outside of our drainage area, there's a pipe that comes across down off of Birch Street and crosses onto his property but it's out of our drainage area, nothing on our lot could be done to correct or to, you know, alleviate his concerns.

MR. LANDER: Mr. Duffy contacted me a couple times, I told him he had to see the highway super about that because it's his culvert the water runs across the road at that point bad.

MR. BRADY: Yes, you can.

MR. LUCAS: Motion to waive public hearing.

MR. PETRO: A permitted use in the zone.

MR. BABCOCK: Yes.

MR. PETRO: Who's on the other side of this now?

MR. BRADY: Well, there is the railroad to the rear, and then there is--

MR. PETRO: Is that a building lot to the south, I guess?

MR. BRADY: To the south, there's an existing dwelling, I don't believe that can be further subdivided and to the north, there's another building lot with an existing dwelling and to the rear would be the railroad.

MR. ARGENIO: How close is the existing dwelling to the north of the property line?

MR. BRADY: You can see the edge of the driveway, I'd say 30, 35 feet to the property line.

MR. PETRO: They did not show up.

MR. BRADY: No, only person was Mr. Duffy and his concerns were drainage, that was an extensive mailing too like 52 people notified.

MR. PETRO: Well--

MR. LUCAS: Is there a town right-of-way behind that?

MR. BRADY: Not along our property.

MR. PETRO: I don't think we need a public hearing, we had one person show up, it's a permitted use in the zone.

MR. STENT: Motion we waive public hearing.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive public hearing under its discretionary judgment.

ROLL CALL

| | |
|-------------|-----|
| MR. ARGENIO | AYE |
| MR. STENT | AYE |
| MR. LANDER | NO |
| MR. LUCAS | AYE |
| MR. PETRO | AYE |

MR. PETRO: I think we can do number 5 now.

MR. STENT: Motion to declare negative dec.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Miele minor subdivision on Riley Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

| | |
|-------------|-----|
| MR. ARGENIO | AYE |
| MR. STENT | AYE |
| MR. LANDER | AYE |
| MR. LUCAS | AYE |
| MR. PETRO | AYE |

MR. PETRO: All right, at this time, we need to clarify the problem with the driveway specs, you're going to change that one note that Mr. Argenio said number 12 lot number 1 and 2 should agree and I believe that is it, we'll see you at the next meeting.

MR. EDSALL: Jim, question for you, so as to cut down on the backlog for your board, the detail is a standard detail that he can add on and he wasn't aware of it. I didn't know about the detail until we recently--

MR. PETRO: I don't have a problem.

MR. EDSALL: I would suggest that maybe the board since everything else is taken care of can conditionally approve it, I will make sure that the standard detail gets on there.

MR. PETRO: We put a lot of weight on our engineer's feelings, so if you see us throw water in that direction, you know we're in trouble.

MR. LUCAS: Make a motion we approve with the subject-to's that Mark just read into the minutes.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Miele minor subdivision on Riley Road subject to the driveway details being implemented and the note number 12 being changed per our request.

MR. LANDER: Just one second, on lot 3, I believe it is, metal shed see where the dashed line goes through that, I can't read that.

MR. PETRO: Setback line, probably.

MR. LANDER: Well, no.

MR. ARGENIO: Does say metal shed. There are some senior members on this board, please keep that in mind.

MR. PETRO: We have a motion before the board, it's been seconded and is there any further discussion? This is for final approval, the subject-to's have been read. If not, roll call.

ROLL CALL

| | |
|-------------|-----|
| MR. ARGENIO | AYE |
| MR. STENT | AYE |
| MR. LANDER | AYE |
| MR. LUCAS | AYE |
| MR. PETRO | AYE |



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: MIELE MINOR SUBDIVISION
PROJECT LOCATION: RILEY ROAD
SECTION 67-BLOCK 4-LOT 4
PROJECT NUMBER: 97-31
DATE: 10 JUNE 1998
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE 2.57 +/- ACRE PARCEL INTO THREE (3) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 10 SEPTEMBER 1997 PLANNING BOARD MEETING.

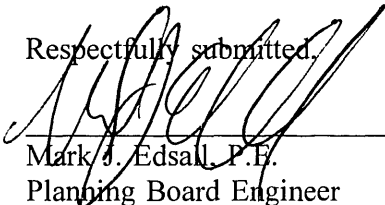
1. At the September 1997 meeting, the application was referred to the Zoning Board of Appeals for a lot width variance for Lot 2. It is my understanding that the variance was granted by the ZBA on 13 April 1998. A record of this action should be on file with the Planning Board.
2. The Applicant's Engineer has responded to all previous review comments from our office. One (1) item which has been added is Note 12 on the plan regarding the relocated drainage swale through Lot 1. This provision should be included in the deed for Lot 1.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: MIELE MINOR SUBDIVISION
PROJECT LOCATION: RILEY ROAD
SECTION 67-BLOCK 4-LOT 4
PROJECT NUMBER: 97-31
DATE: 10 JUNE 1998

5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MIELE2.mk

P.B.

ZONING BOARD OF APPEALS

Regular Session

April 13, 1998

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of 03/09/98 meeting as written.

PRELIMINARY MEETINGS:

- ET UP
CR P/H
1. **BAGAROZZI, MICHAEL** - Request for 20 ft. rear yard variance for existing deck at 18 Truex Drive in an R-4 zone. (70-1-15.6).
 2. **KREISBERG, GERALD** - Request for 1 ft. maximum structure height to construct a 5 ft. fence in variation of Section 48-14C(1)[1] - fence between principal building and street at Oakwood Terrace located on off Route 94 in an R-5 zone. (44-1-37).
 3. **COLONI, RICHARD B.** - Request for 10 ft. front yard variance for existing front deck and 2 ft. rear yard variance for existing rear deck located at 3011 Rt. 9W in an R-4 zone. (48-1-3.1).
- T UP
R P/H

PUBLIC HEARINGS:

- ABLE
4. **REDDINGS, MERRELL** - Request for use variance to allow four-family dwelling in R-3 zone (Two family residences permitted) located at 16 Redding Place (private road). (65-1-42.4).
 5. **SIMONI, FRED** - Request for 17 ft. rear yard variance to construct addition at 1 Coutant Lane in an R-4 zone. (38-3-6).
 6. **MIELE, EDWARD** - Referred by P.B. for 10.65 ft. lot width variance for Lot #2 in minor subdivision located on Riley Road in an R-3 zone. (67-4-4).
- APPROVED

Formal Decisions: (1) **BROOKS**
(2) **DIAZ**
(3) **METZGER**

Pat - 563-4630 (o)
562-7107 (h)

APPROVED

ZONING BOARD OF APPEALS

Regular Session

January 26, 1998

JURY TRIALS MAY PRE-EMPT OUR USE OF THE COURTROOM.
IN THIS CASE WE WILL MEET IN THE ATTORNEY'S OFFICE AGAIN.

REVISED AGENDA:

7:30 p.m.- Roll Call

Motion to accept minutes of the 1/12/98 meeting as written.

(APPROVED)

PRELIMINARY MEETING:

*SET UP
FOR P/H*

1. MIELE, EDWARD - Request for 10.65 ft. lot width variance for lot #2 in minor subdivision located on Riley Road in an R-3 zone. (67-4-4).

*SET UP
FOR P/H*

2. SMITH, J & H LIGHT/FLANNERY ANIMAL HOSPITAL, P.C.-Referred by P.B. for interpretation of a prior variance or approvals needed to operate animal hospital in R-4 zone on e/s Temple Hill Road at Rt. 207. Present: James R. Loeb, Esq. (4-1-11.2).

PUBLIC HEARING:

APPROVED

3. VANDER MAAS, BRIAN - Request for 8 ft. rear yard variance for existing deck at 12 Truex Drive in an R-4 zone. (70-1-15.3).

ELECTION OF OFFICERS: Chairman, V. Chairman, etc. (Postponed from 1/12/98 meeting)

FORMAL DECISIONS: (1) MOBIL OIL (2) TOYOTA OF NEWBURGH, INC.

(3) YONNONE (4) JACZKO

(5) PASSARO

Pat - 563-4630 (o)

562-7107 (h)

(APPROVED)

PRELIMINARY MEETING

MIELE, EDWARD

MR. NUGENT: Request foot 10.65 ft. lot width variance for lot #2 in minor subdivision located on Riley Road in an R-3 zone.

Mr. Patrick Brady appeared before the board for this proposal.

MR. BRADY: Good evening, my name is Patrick Brady, I'm the engineer for the applicant, I just brought a couple plans. We were before the planning board for sketch plan approval and they declined us and referred us to the ZBA, lot 2, the middle lot is the lot in question, what we're short on is the lot width criteria. At the front setback, we have a lot width of 89.35 which we need required lot width of 100. We're seeking a variance for 10.65 feet on lot 2. I know the zoning law had changed about a year ago where they used to set the lot width at where the house was going to be set but they were trying to eliminate flag lots and speaking with Mark Edsall, he felt that this, the intention of the change in the zoning wasn't to eliminate this type of, by setting the front yard at the lot width at the front set back.

MR. NUGENT: Are these the actual layouts where the houses are going to set or just--

MR. BRADY: Well, these are how they are shown, but they could be set back, you know, I don't see it a problem if the restriction was say to have them set back that far.

MR. TORLEY: But the actual lines are the building lines?

MR. BRADY: Yes.

MR. NUGENT: What is it?

MR. BRADY: These dashed lines is the building envelope, you know, for the bulk.

MR. NUGENT: What I was getting at was the reason for my question was that if the houses are set at that particular spot, do we have enough setbacks from the building to the property line?

MR. BRADY: Well, if they move closer.

MR. TORLEY: That is what the dashed line is.

MR. NUGENT: That is 15 foot whatever it is?

MR. BABCOCK: Yeah, house can go anywhere within that dashed line, Jim.

MR. NUGENT: Okay.

MR. TORLEY: And he's just drawn the shared driveway just the way they draw drew it on there.

MR. BRADY: There is separate driveways but that is shown that this lot can be developed.

MR. REIS: Do lots 1 and 3 exist at this time?

MR. BRADY: No, it's all one parcel right now, it's 2.57 acres and there's an existing dwelling, it's an old kind of shackish type of house, but it's on what's shown as lot 2 on this plan and that is to be removed and new houses constructed.

MR. KRIEGER: Mike, the lot width now is measured at the street, right?

MR. BABCOCK: That's correct.

MR. KRIEGER: So it doesn't matter whether he moves the house back or not, doesn't help him in terms of lot width?

MR. BABCOCK: That's correct.

MR. KRIEGER: In the old criteria, would he be, how would he stand?

MR. BABCOCK: He'd still need a variance.

MR. BRADY: I was under the impression the old criteria the planning board could set the lot width at wherever the house was, you know, if you moved the house back 40 feet, if you had the hundred foot lot width that was okay. On the current zoning it's now the front setback.

MR. BABCOCK: I think where the house is sitting now you would have needed it but like he said--

MR. KRIEGER: He could have moved it under the old system?

MR. BABCOCK: That's correct, he can move it back far enough where he can get the hundred foot if he doesn't have that now.

MR. BRADY: Currently where this house is now it's a hundred feet where it's shown but at the front setback it's 89.

MR. BABCOCK: Okay.

MR. NUGENT: Any further questions by the board?

MR. TORLEY: No.

MR. REIS: Michael, do you see this as a negative in any way?

MR. BABCOCK: No.

MR. REIS: Accept a motion?

MR. NUGENT: Yes.

MR. REIS: Make a motion we set up Mr. Edward Miele for requested variance on lot number 2.

MR. TORLEY: Second it.

ROLL CALL

| | |
|------------|-----|
| MS. OWEN | AYE |
| MR. REIS | AYE |
| MR. TORLEY | AYE |
| MR. NUGENT | AYE |

MS. BARNHART: Mr. Brady, here's your paperwork.

MR. KRIEGER: When you come back, I will need to look at the deed and title policy and I'm sure you're aware of the criteria but take these down, those are the criteria set forth in the state law and those are the criteria upon which the ZBA must decide. So if you would address yourself to those, that would be helpful. And I'm sure they'll want to see pictures as well of the four views of the lot.

MR. BRADY: Okay.

MR. TORLEY: I would appreciate it if you don't already have flagged out where those are, stick some flags for the boundaries for the pictures.

MR. KRIEGER: Markers so they can see.

MR. BRADY: We can flag up the property.

MR. KRIEGER: Otherwise, it's just a picture of trees. It's not too helpful.

MR. BRADY: Okay, thank you very much.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

#1 ZBA 1-26-98
SET UP FOR P/H

#2 ZBA 4-13-98
APPROVED

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 97-31

DATE: 17 SEPT 97

APPLICANT: EDWARD MIELE
STATION ST. P.O. BOX 116
SOUTH FIELDS N.Y. 10975

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3 SEPT 97

FOR (SUBDIVISION - ~~SITE PLAN~~)

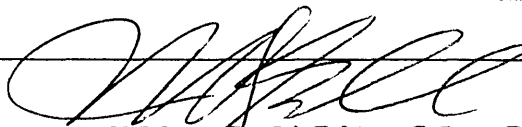
LOCATED AT RILEY RD.

ZONE R-3

DESCRIPTION OF EXISTING SITE: SEC: 67 BLOCK: 4 LOT: 4

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

LOT WIDTH VARIANCE FOR LOT 2.



MARK J. EDSALL P.E. for
MICHAEL BABCOCK,
BUILDING INSPECTOR

| REQUIREMENTS | PROPOSED OR AVAILABLE | VARIANCE REQUEST |
|-----------------------------------|--------------------------|---------------------|
| ZONE <u>R-3</u> USE <u>A-9</u> | | |
| MIN. LOT AREA <u>32670 SF</u> | <u>> REQ'D</u> | <u>—</u> |
| MIN. LOT WIDTH <u>100 FT</u> | <u>89.35 FT (42')</u> | <u>10.65 FT</u> |
| REQ'D FRONT YD <u>35 FT</u> | <u>AS REQ'D</u> | <u>—</u> |
| REQ'D SIDE YD. <u>15 FT</u> | <u>AS REQ'D</u> | <u>—</u> |
| REQ'D TOTAL SIDE YD. <u>30 FT</u> | <u>AS REQ'D</u> | <u>—</u> |
| REQ'D REAR YD. <u>40 FT</u> | <u>AS REQ'D</u> | <u>—</u> |
| REQ'D FRONTAGE <u>60 FT</u> | <u>AS REQ'D</u> | <u>—</u> |
| MAX. BLDG. HT. <u>35 FT</u> | <u>35 MAX</u> | <u>—</u> |
| FLOOR AREA RATIO <u>N/A</u> | <u>N/A</u> | <u>—</u> |
| MIN. LIVABLE AREA <u>1000 SF</u> | <u>> 1000 SF</u> | <u>—</u> |
| DEV. COVERAGE <u>15 %</u> | <u>< 15 %</u> | <u>— %</u> |
| O/S PARKING SPACES <u>N/A</u> | <u>N/A</u> | <u>—</u> |

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

MIELE, EDWARD SUBDIVISION (97-31) RILEY ROAD
(CONTINUED)

Mr. Patrick Brady appeared before the board for this proposal.

MR. PETRO: This application proposes subdivision of 2.57 acre parcel into three single family residential lots. The plan was reviewed on concept basis only. Riley Road, this is brand new, we haven't seen this.

MR. BRADY: That is correct.

MR. PETRO: Go ahead.

MR. BRADY: Good evening, Mr. Chairman, members of the board, my name is Patrick Brady, engineer for the applicant. We have had about three work shop sessions with Mr. Edsall and this is the final, not the final but what the last workshop we discussed coming up with three lots fronting on Riley Road. This parcel is located on the easterly side of Riley Road about a hundred feet north of Birch Drive. There's sewer within Riley Road which we can have access to, there's no public water, however, these sites will have to have private wells. Currently, there's an existing small dwelling on lot 2, if you can see would be in the driveway of the proposed driveway for lot 2.

MR. PETRO: That is why there's an existing well, you're going to utilize that well?

MR. BRADY: We intend to so and plus, there's an existing sewer service for that existing house so what we'd be looking for two new sewer laterals and two new individual wells. Unfortunately, the lot frontage on this parcel is 285 feet and we make the road frontage but at the 35 foot front setback we don't have the required lot width for lot 2. And I have a bulk table in the lower left and you can see that that width is 89.35 feet, we're shy by 10.7, approximately, so we're requesting a variance for the lot width.

MR. PETRO: Does that shyness come from the front yard setback or at the road?

MR. BRADY: At the front yard setback. Under the road frontage we're allowed to have--

MR. EDSALL: 60 for frontage.

MR. BRADY: --60 foot frontage.

MR. PETRO: Why not move the house back further?

MR. BRADY: I had made a sketch with that but since the workshop--

MR. EDSALL: It used to be that you can measure your lot width at the front yard setback or at the building line which that particular definition promoted flag lots, cause you had a choice. So the town board changed it. Now you have to measure it at the front yard setback. So for this lot, it just doesn't meet.

MR. PETRO: So we can't move the house back?

MR. EDSALL: You can move it anywhere you want but still needs a variance.

MR. PETRO: What's the setback, 45?

MR. BRADY: 35.

MR. PETRO: So wherever 35 feet comes measure that, that is where the house is from that and that is what you're going to--

MR. EDSALL: Exactly.

MR. BRADY: At the front setback, I put the dimension back where the house is, we have the required hundred foot but under the new zoning requirements, you can't set that line as part of the subdivision.

MR. PETRO: This is one of the subdivisions that the old rule would have worked.

MR. BRADY: Yes.

MR. EDSALL: And I don't think that this particular layout is something that was intended to be corrected against, it was more the multiple flag lot arrangements.

MR. PETRO: No, I understand.

MR. LANDER: On lot 1, we have existing drainage course, what are we going to do with that?

MR. BRADY: Well, that will most likely redirect the ditch, probably bring it down along the property line, that will be at the next subdivision after we go to the ZBA.

MR. PETRO: Conceptually, does anyone have a problem?

MR. LANDER: No.

MR. PETRO: Motion to approve.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been and seconded that the New Windsor Planning Board grant final approval to the Miele minor subdivision on Riley Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

| | |
|------------|----|
| MR. STENT | NO |
| MR. LUCAS | NO |
| MR. LANDER | NO |
| MR. PETRO | NO |

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary variances. Once you have received that, it's been placed on the map, you can then reappear before this board for further review. Thank you.

MR. BRADY: Thank you very much.

MIELE, EDWARD SUBDIVISION (97-31) RILEY ROAD
(CONTINUED)

Mr. Patrick Brady appeared before the board for this proposal.

MR. PETRO: This application proposes subdivision of 2.57 acre parcel into three single family residential lots. The plan was reviewed on concept basis only. Riley Road, this is brand new, we haven't seen this.

MR. BRADY: That is correct.

MR. PETRO: Go ahead.

MR. BRADY: Good evening, Mr. Chairman, members of the board, my name is Patrick Brady, engineer for the applicant. We have had about three work shop sessions with Mr. Edsall and this is the final, not the final but what the last workshop we discussed coming up with three lots fronting on Riley Road. This parcel is located on the easterly side of Riley Road about a hundred feet north of Birch Drive. There's sewer within Riley Road which we can have access to, there's no public water, however, these sites will have to have private wells. Currently, there's an existing small dwelling on lot 2, if you can see would be in the driveway of the proposed driveway for lot 2.

MR. PETRO: That is why there's an existing well, you're going to utilize that well?

MR. BRADY: We intend to so and plus, there's an existing sewer service for that existing house so what we'd be looking for two new sewer laterals and two new individual wells. Unfortunately, the lot frontage on this parcel is 285 feet and we make the road frontage but at the 35 foot front setback we don't have the required lot width for lot 2. And I have a bulk table in the lower left and you can see that that width is 89.35 feet, we're shy by 10.7, approximately, so we're requesting a variance for the lot width.

MR. PETRO: Does that shyness come from the front yard setback or at the road?

MR. BRADY: At the front yard setback. Under the road frontage we're allowed to have--

MR. EDSALL: 60 for frontage.

MR. BRADY: --60 foot frontage.

MR. PETRO: Why not move the house back further?

MR. BRADY: I had made a sketch with that but since the workshop--

MR. EDSALL: It used to be that you can measure your lot width at the front yard setback or at the building line which that particular definition promoted flag lots, cause you had a choice. So the town board changed it. Now you have to measure it at the front yard setback. So for this lot, it just doesn't meet.

MR. PETRO: So we can't move the house back?

MR. EDSALL: You can move it anywhere you want but still needs a variance.

MR. PETRO: What's the setback, 45?

MR. BRADY: 35.

MR. PETRO: So wherever 35 feet comes measure that, that is where the house is from that and that is what you're going to--

MR. EDSALL: Exactly.

MR. BRADY: At the front setback, I put the dimension back where the house is, we have the required hundred foot but under the new zoning requirements, you can't set that line as part of the subdivision.

MR. PETRO: This is one of the subdivisions that the old rule would have worked.

MR. BRADY: Yes.

MR. EDSALL: And I don't think that this particular layout is something that was intended to be corrected against, it was more the multiple flag lot arrangements.

MR. PETRO: No, I understand.

MR. LANDER: On lot 1, we have existing drainage course, what are we going to do with that?

MR. BRADY: Well, that will most likely redirect the ditch, probably bring it down along the property line, that will be at the next subdivision after we go to the ZBA.

MR. PETRO: Conceptually, does anyone have a problem?

MR. LANDER: No.

MR. PETRO: Motion to approve.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been and seconded that the New Windsor Planning Board grant final approval to the Miele minor subdivision on Riley Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

| | |
|------------|----|
| MR. STENT | NO |
| MR. LUCAS | NO |
| MR. LANDER | NO |
| MR. PETRO | NO |

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary variances. Once you have received that, it's been placed on the map, you can then reappear before this board for further review. Thank you.

MR. BRADY: Thank you very much.

RESULTS OF P.B. MEETING

DATE: September 10, 1977

PROJECT NAME: Miele, Edward Sub PROJECT NUMBER 97-31

LEAD AGENCY: _____ * NEGATIVE DEC: _____

M) _____ S) _____ VOTE: A _____ N _____ * M) _____ S) _____ VOTE: A _____ N _____

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) _____ S) _____ VOTE: A _____ N _____ YES _____ NO _____

SEND TO DEPT. OF TRANSPORT: M) _____ S) _____ VOTE: A _____ N _____ YES _____ NO _____

DISAPP: REFER TO Z.B.A.: M) LNS LM VOTE: A 0 N 4 YES ☒ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) _____ S) _____ VOTE: A _____ N _____ APPROVED: _____

M) _____ S) _____ VOTE: A _____ N _____ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Z.B.A.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

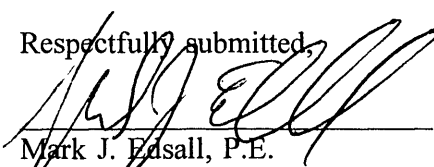
**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: MIELE MINOR SUBDIVISION
PROJECT LOCATION: RILEY ROAD
SECTION 67-BLOCK 4-LOT 4
PROJECT NUMBER: 97-31
DATE: 10 SEPTEMBER 1997
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE
2.57 +/- ACRE PARCEL INTO THREE (3) SINGLE-FAMILY
RESIDENTIAL LOTS. THE PLAN WAS REVIEWED ON A
CONCEPT BASIS ONLY.

1. The property is located within the R-3 Zoning District of the Town. The "required" bulk values for the zone and use group appear correct on the plan. Each of the lots appears to comply with the minimum bulk requirements, with the exception of Lot 2, which requires a lot width variance.
2. The Board may wish to perform a concept review of the subdivision and include any comments into the minutes. As well, it is appropriate that the Planning Board take action to refer this application to the Zoning Board of Appeals for the necessary variance.

The plan submitted for referral to the Zoning Board of Appeals should include the stamp and signature of the licensed surveyor.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MIELE.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97- 31

DATE PLAN RECEIVED: RECEIVED MAY 22 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Edward Miele has been

reviewed by me and is approved ✓

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

There is no town water in this
particular area.

HIGHWAY SUPERINTENDENT DATE

Steve DiDio 6-1-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: June 2, 1998

SUBJECT: Edward Miele Subdivision

Planning Board Reference Number: PB-97-31

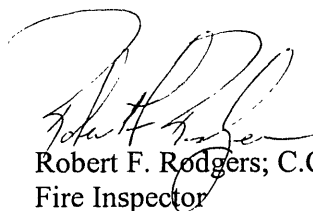
Dated: 22 May 1998

Fire Prevention Reference Number: FPS-98-023

A review of the above referenced subject subdivision plan was conducted on 1 June 1998.

This subdivision plan is acceptable.

Plans Dated: 14 May 1998 Revision 1.



Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

RECEIVED

MAY 29 1998

NEW WINDSOR PLANNING BOARD REVIEW FORM

NEW HIGHWAY DIST

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 31

DATE PLAN RECEIVED: RECEIVED MAY 22 1998

The maps and plans for the Site Approval _____
Subdivision ☒ _____ as submitted by _____
_____ for the building or subdivision of _____
_____ has been
reviewed by me and is approved _____,
disapproved ☒ _____.

If disapproved, please list reason _____

See attached driveway specs.

W. James Sullivan 6/1/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

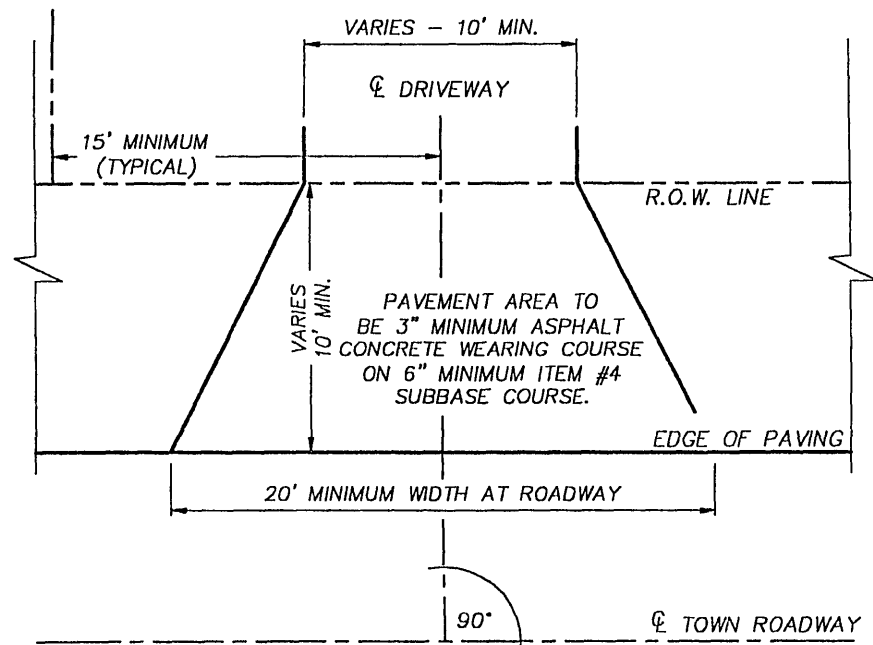
555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 564-6660
Fax: (914) 563-4693

OFFICE OF THE SUPERINTENDENT OF HIGHWAYS

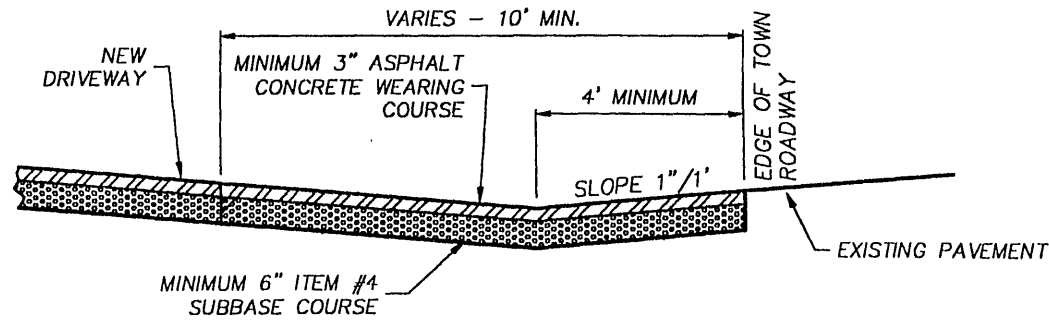
W. James Pullar

DRIVEWAY CONSTRUCTION SPECIFICATION

1. Access from driveway to Town Roadway will have acceptable sight distance in both directions as approved by the Town Superintendent of Highways
2. Centerline of driveway shall be perpendicular to Town Roadway and a minimum of 15 feet from property line.
3. Paved Area:
 - Shall extend from edge of pavement to Town Roadway right-of-way line.
 - Minimum ten (10) foot depth.
 - Minimum width at Town Roadway edge of pavement shall be twenty (20) feet, tapering to a minimum of ten (10) foot width at ten (10) foot depth.
 - Paved area shall have a minimum slope of eight (8) percent (1 in./1 ft.) away from Town Roadway for a minimum distance of four (4) feet. Grading shall be to the satisfaction of the Town Superintendent of Highways and the Town Engineer prior to surfacing such driveways.
4. Pavement Application: 3" Minimum Asphalt Concrete Wearing Coarse
6" Minimum Item #4 Subbase Coarse
5. Where required by the Town Superintendent of Highways, a culvert pipe shall be provided at the driveway, with the pipe size and material to be as acceptable to the Superintendent. Pipe size shall not be less than fifteen (15) inches diameter.



PLAN VIEW



SECTION VIEW



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

MIELE

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor

P/B # 97-31

WORK SESSION DATE: 6 May 1997

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: No

REQUIRED: revised plan

PROJECT NAME: Miele Sub

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Pat Brady

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X _____
ENGINEER X _____
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- add note re town ^{has} ~~revised~~ v, LT to continued discharge to retored swale on lot 1
- possible wave p/h
- ret variance on plan
- details re sewer hookup.
- Steve stamp plan

(A)

Poss Agenda

4MJ91 pbwsform



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B # _____ - _____

WORK SESSION DATE: 5 Mar 97

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: Yes

REQUIRED: Full Later

PROJECT NAME: MIELE

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Pat B

MUNIC REPS PRESENT: BLDG INSP. ?
FIRE INSP. Bob
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

add ties to Birch and Dear Hill
67-4-4

- availability of water (looks out of districts)
- problem w sewer for subdiv re sewer ext.
- wants munic. sewer for all 3 if not rear lot.
- des. P/A reg'tr.

4MJE91 pbwsform



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 31
RECEIVED SEP 4 1997
DATE PLAN RECEIVED: _____

The maps and plans for the Site Approval _____
Subdivision ☒ _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ☒ _____
disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 9/5/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

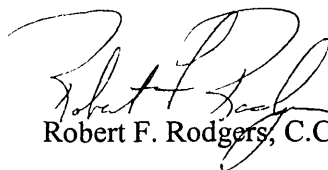
To: Town Planning Board
From: Town Fire Inspector
Subject: Miele Subdivision
Date: 9 September 1997

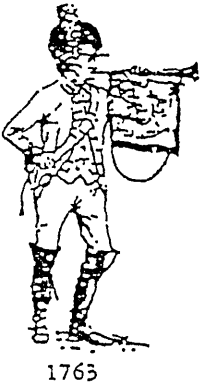
Planning Board Reference Number: PB-97-31
Dated: 4 September 1997
Fire Prevention Reference Number: FPS-97-046

A review of the above referenced subject subdivision plan was conducted on 8 September 1997.

This subdivision plan is acceptable.

Plans Dated: 2 September 1997.


Robert F. Rodgers, C.C.A.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 31

DATE PLAN RECEIVED: RECEIVED SEP 4 1997

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of
Edward Miele has been

reviewed by me and is approved ☒

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water at this
time.

HIGHWAY SUPERINTENDENT DATE

Steve Dillio
WATER SUPERINTENDENT

CAmo - 9-9-97
DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B # -

WORK SESSION DATE: 3 Sept 97

APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Miele

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Pat Brady

MUNIC REPS PRESENT: BLDG INSP. around
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- filed
- Drabick
- will have indiv wells
- show break line approx dist to Bear Hill/ Brook.
- R-3 expand bulk show all lots.
- add min 1000 / Dist c/s 150.
- need variance
- add Drabick box
- ZBA referral 9/10 agenda

Agenda
ZBA
referral



TOWN OF NEW WINDSOR

97-31

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

RECEIVED SEP 4 1997

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

178 TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Chg. ☐ Site Plan ☐ Spec. Permit ☐

1. Name of Project EDWARD MIELE
2. Name of Applicant EDWARD MIELE Phone (914) 351-2826
Address STATION ST. P.O. Box 116 SOUTHFIELDS N.Y. 10975
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record EDWARD MIELE Phone 351-2826
Address STATION ST. P.O. Box 116 SOUTHFIELDS N.Y. 10975
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan PATRICK BRADY, P.E.
Address P.O. Box 482 WALDEN N.Y. 12586
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney — Phone —
Address —
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting PATRICK BRADY Phone (914) 778-4006
(Name)
7. Project Location: On the EASTERLY side of RILEY ROAD
100± feet NORTHERLY of BIRCH DRIVE
(direction) (street)
8. Project Data: Acreage of Parcel 2.57 ac. Zone R-3,
School Dist. NEWBURGH SCHOOLS
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y ☐ N ☒

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 67 Block 4 Lot 4
11. General Description of Project: 3 LOT SUBDIVISION
OF 2.57 ACRES. LOTS ARE TO HAVE
CENTRAL SEWER & INDIVIDUAL WELLS.
12. Has the Zoning Board of Appeals granted any variances for this property? yes ☒ no
13. Has a Special Permit previously been granted for this property? yes ☒ no

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

30th day of September 1997

Ed Mule
Applicant's Signature

Chris Scibelli
CHRIS SCIBELLI
Notary Public, State of New York
No. 24-4814694
Qualified in Orange County
Commission Expires September 30, 1998

TOWN USE ONLY:

RECEIVED SEP 4 1997

Date Application Received

97 - 31

Application Number

PROJECT I.O. NUMBER

617.21

Appendix C

97-31

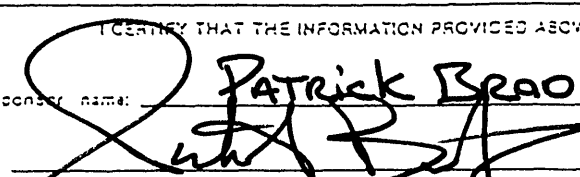
RECEIVED SEP 4 1997

SEQR

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

| | |
|---|--|
| 1. APPLICANT PROJECT EDWARD MIELE | 2. PROJECT NAME EDWARD MIELE |
| 3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR County ORANGE | |
| 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) EASTERLY SIDE OF RILEY ROAD, APPROX. 100' NORTHERLY FROM BIRCH DRIVE. PROPERTY IS DESIGNATED AS SEC. 67, BLK 4, LOT 4 (TOWN NEW WINDSOR) | |
| 5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration | |
| 6. DESCRIBE PROJECT BRIEFLY: MINOR SUBDIVISION OF 2.57 ACRES INTO THREE RESIDENTIAL LOTS. | |
| 7. AMOUNT OF LAND AFFECTED: Initially 2.57 acres Ultimately 2.57 acres | |
| 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly LOT #2 WILL REQUIRE A VARIANCE FOR MIN REQUIRED LOT WIDTH | |
| 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: | |
| 10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals | |
| 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval | |
| 12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/Sponsor name: PATRICK BRADY, P.E. PROJECT ENGINEER Date: 4/3/97 Signature:  | |

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING. (Answers may be handwritten, if legible.)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly:

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

 Name of Lead Agency

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

 Date

RECEIVED 97-31
SEP 4 1997

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

EDWARD MIELE, deposes and says that he
(Applicant)
resides at STATION ST. PO Box 116 SOUTHFIELD N.Y. 10975
(Applicant's Address)
in the County of ORANGE
and State of NEW YORK
and that he is the applicant for the 3-LOT SUBDIVISION
ENTITLED " EDWARD MIELE "
(Project Name and Description)
which is the premises described in the foregoing application and
that he has authorized PATRICK BRADY, P.E.
(Professional Representative)
to make the foregoing application as described therein.

Date: 9/3/97Ed Miele
(Owner's Signature)Shannon Teary
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

RECEIVED SEP 4 1997
If Applicable "XX"TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ☒ Environmental Assessment Statement
- *2. ☒ Proxy Statement
3. ☒ Application Fees
4. ☒ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ☒ Name and address of Applicant.
- *2. ☒ Name and address of Owner.
3. ☒ Subdivision name and location.
4. ☒ Tax Map Data (Section-Block-Lot).
5. ☒ Location Map at a scale of 1" = 2,000 ft.
6. ☒ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ☒ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ☒ Date of plat preparation and/or date of any plat revisions.
9. ☒ Scale the plat is drawn to and North Arrow.
10. ☒ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ☒ Surveyor's certification.
12. ☒ Surveyor's seal and signature.

*If applicable.

13. ☒ Name of adjoining owners.
14. ☒ Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. ☒ Flood land boundaries.
16. ☒ A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ☒ Final metes and bounds.
18. ☒ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. ☒ Include existing or proposed easements.
20. ☒ Right-of-Way widths.
21. ☒ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ☒ Lot area (in square feet for each lot less than 2 acres).
23. ☒ Number the lots including residual lot.
24. ☒ Show any existing waterways.
- *25. ☒ A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ☒ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. ☒ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. ☒ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

RECEIVED SEP 4 1997

29. ✓ Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. NA Provide "septic" system design notes as required by the Town of New Windsor.
31. ✓ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. ✓ Indicate percentage and direction of grade.
33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. ✓ Indicate location of street or area lighting (if required).

RECEIVED SEP 4 1997

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

- N/A
36. ☒ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. ☒ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval. Whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 
Licensed Professional

Date: 9/3/97

20010227

"XX"

97- 31

RECEIVED SEP 4 1997

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

PROPERTY DESIGNATED AS
SEC. 67, BLK 4, LOT 4
IS NOT LOCATED IN A
FLOOD ZONE

Antwa F. [Signature]